

Attachment D

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Monterey County

Planning Commission

Agenda Item #3

Legistar File Number: PC 16-071

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

November 09, 2016

Introduced: 11/1/2016

Version: 1

Current Status: Agenda Ready

Matter Type: Planning Item

PLN150489 - VAN GREUNEN (CONTINUED FROM OCTOBER 26, 2016)

Public hearing to consider a Coastal Development Permit for a Lot Line Adjustment between three parcels

Proposed CEQA Action: Categorical Exemption per CEQA Guidelines section 15305(a).
6820 Long Valley Spur, Castroville, North County Coastal Land Use Plan.

RECOMMENDATION:

It is recommended that the Planning Commission adopt a resolution:

- a. Finding the project Categorically Exempt per Section 15305(a); and
- b. Approving a Coastal Development Permit to allow a Lot Line Adjustment between three existing conforming parcels (13.5 acres [Parcel C], 7.4 acres [Parcel A], and 19.1 acres [Parcel B]) resulting in three reconfigured parcels of 2.9 acres (Lot 1), 3.6 acres (Lot 2), and 33.5 acres (Lot 3).

PROJECT INFORMATION:

Planning File Number: PLN150489

Owner: Johannes and Kristi Van Greunen

APNs: 129-201-052-000, 129-201-006-000 (one APN covers two lots)

Plan Area: North County Coastal Land Use Plan

Property Area: 40 acres

Land Use/Zoning: Rural Density Residential - Ten Acres per unit density - Coastal Zone

Flagged and Staked: Yes

SUMMARY:

The applicant would like to modify the property boundaries of three existing conforming parcels (13.5 acres [Parcel C], 7.4 acres [Parcel A] and 19.1 acres [Parcel B]) to create parcels sizes of 2.9 acres (Lot 1), 3.6 acres (Lot 2), and 33.5 acres (Lot 3) in the Rural Density Residential Zoning District within the North County Coastal Land Use Plan. The Lot Line Adjustment, located within the coastal zone, requires a Coastal Development Permit.

On September 28, 2016, the Planning Commission considered the application, and discussed issues pertaining to clustering of lots; preservation of environmental sensitive habitat areas (ESHA), Maritime Chaparral, slopes in excess of 25%; and the presence of highly erodible soil (Arnold Loamy Sand) throughout the properties. At that hearing the Planning Commission directed staff to continue to analyze the proposed lot line adjustment, including evaluating potential building sites/envelopes on the proposed reconfigured lots, and look at mechanisms to preserve slopes, erodible soil and ESHA. At the conclusion of the September 28, 2016 hearing, the matter was continued to October 26, 2016. On October 26, 2016, RMA-Planning staff requested a second continuance to November 9, 2016 to allow adequate time additional

project analysis.

There are two aspects for the Planning Commission to consider:


- 1) Does the Lot Line Adjustment qualify as clustering as defined in the Monterey County Code; and
- 2) Will the proposed lots create ridgeline development.


This application was not scheduled for consideration by the North County Coastal Land Use Advisory Committee (LUAC) because during the scheduled time for the application to be considered, the LUAC was not meeting.


OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project:

- Resource Management Agency (RMA) - Public Works
- Environmental Health
- Water Resources Agency
- North County Fire Protection District
- California Coastal Commission

Prepared by: David J. R. Mack, AICP, Senior Planner, Ext. 5096 

Reviewed by: Jacqueline R. Onciano, RMA Services Manager 

Approved by: Carl P. Holm, AICP, RMA Director 

The following attachments are on file with the RMA:

Exhibit A Discussion

Exhibit B Draft Resolution, including:

- Conditions of Approval
- Lot Line Adjustment Map

Exhibit C Proposed Resource Protection/Easement Map: dated October 26, 2016.

Exhibit D Biological Report, prepared by Regan Biological and Horticultural Consulting dated: August 8, 2015 and update

Exhibit E Vicinity Map

cc: Front Counter Copy; Planning Commission; Jacqueline R. Onciano, RMA Services Manager; Public Works Department; Johannes and Kristi Van Greunen, Applicants/Owners; Dale Ellis, Agent; Monique Fountain; Debra Louison-Lavoy; California Coastal Commission; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); David J. R. Mack, Senior Planner; Project File PLN150489

Exhibit A

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PROJECT DISCUSSION

The subject application consists of a request to modify the property boundaries of three legal parcels of 13.5 acres (Parcel C), 7.4 acres (Parcel A) and 19.1 acres (Parcel B) to create Lot 1 (2.9 acres), Lot 2 (3.6 acres), and Lot 3 (33.5 acres) in the Rural Density Residential Zoning District within the North County Coastal Land Use Plan. Staff has applied the provision of the zoning ordinance that allows parcels of less than 5 acres to accommodate “clustered residential development”. Staff supports the concept of clustering, in this particular case, because it will concentrate development on portion of that site that will preserve, Environmental Sensitive Habitat areas (ESHA), Maritime Chaparral, slopes in excess of 25%; and prohibit development on highly erodible soil (Arnold Loamy Sand). Approval of the lot line adjustment better meets the policies of the North County Land Use Plan.

Consistency with Land Use and Zoning

The property has a Land Use Designation of Rural Density Residential. The Zoning density is 10 acres per unit. Density does not establish minimum parcel size; it identifies how many units can be constructed in a given area. In this case the density of one unit for every 10 acres would allow a total of four units on the subject property (40 acres in total area.) The RDR district establishes a minimum lot size or building site as follows:

“The minimum building site shall be 5 acres unless otherwise approved as part of clustered residential development.”

The applicant is requesting to reconfigure three existing parcels of 13.5 acres (Parcel C), 7.4 acres (Parcel A), and 19.1 acres (Parcel B) into three new lots of 2.9 (Lot 1), 3.6 (Lot 2) and 33.5 acres (Lot 3). The existing parcels all conform to the minimum lot size requirements. Under the proposed Lot Line Adjustment, the 33.5 acre parcel complies with the minimum lot size requirement, but the 3.6 and 2.9 acre parcels are less than the 5 acre minimum. This 5 acre minimum can be reduced if done as part of a “clustered residential development”, while still retaining the 10 acres per unit density. To ensure that that the newly configured 33.5 acre parcel will not be subdivided in the future, staff is recommending a condition of approval (Condition 7) requiring the application of a “B-6” zoning overlay to the 33.5 acre parcel (Parcel 3). The “B-6” overlay restricts parcels shown on a Final or Parcel Map from further subdivision, while still allowing future lot line adjustments subject to a discretionary permit.

North County Coastal Land Use Plan

Environmental Sensitive Habitat Areas (ESHA)

The proposed lot line adjustment is consistent with the applicable policies of the North County Coastal Land Use Plan pertaining to the preservation of ESHA.

Protection of Environmentally Sensitive Habitat Areas is a critical objective of the North County Coastal Land Use Plan. Among the critical habitat areas of the North County is the Maritime Chaparral. The following two policies identify that when Maritime Chaparral is present, especially on slopes in excess of 25%, it should be protected with a conservation easement.

NCCLUP Policy 2.3.2.6

The County shall ensure the protection of environmentally sensitive habitats through deed restrictions or dedications of permanent conservation easements. Where land divisions or development are proposed in areas containing environmentally sensitive habitats, such restrictions or easements shall be established through the development review process. Where development has already occurred in areas supporting sensitive habitat, property owners should be encouraged to voluntarily establish conservation easements or deed restrictions.

NCCLUP Policy 2.3.3.2

Maritime chaparral is an uncommon, highly localized and variable plant community that has been reduced in North County by residential and agricultural development. Further conversion of maritime chaparral habitat to agricultural uses is highly discouraged. Where new residential development is proposed in chaparral areas, it shall be sited and designed to protect the maximum amount of maritime chaparral. All chaparral on land exceeding 25 percent slope should be left undisturbed to prevent potential erosion impacts as well as to protect the habitat itself.

The site was surveyed and it was identified that there is Maritime Chaparral on the property. (See Exhibit D - Biological Report, prepared by Regan Biological and Horticultural Consulting dated: August 8, 2015 and update) None of the Maritime Chaparral is located in the proposed building sites. Approval of the Lot Line Adjustment with all development clustered in the northwest corner of the site, would minimize the potential degradation of the Maritime Chaparral on slopes in excess of 25%, particularly with the requirement that all areas covered by Maritime Chaparral or with slopes in excess of 25% be covered with a conservation easement (Condition 6).

Erodible Soils

Protection of highly erodible soils is also a critical objective of the North County Coastal Land Use Plan, which identifies “Arnold Loamy Sand” as highly erodible. The following policy requires protection of this specific soil type.

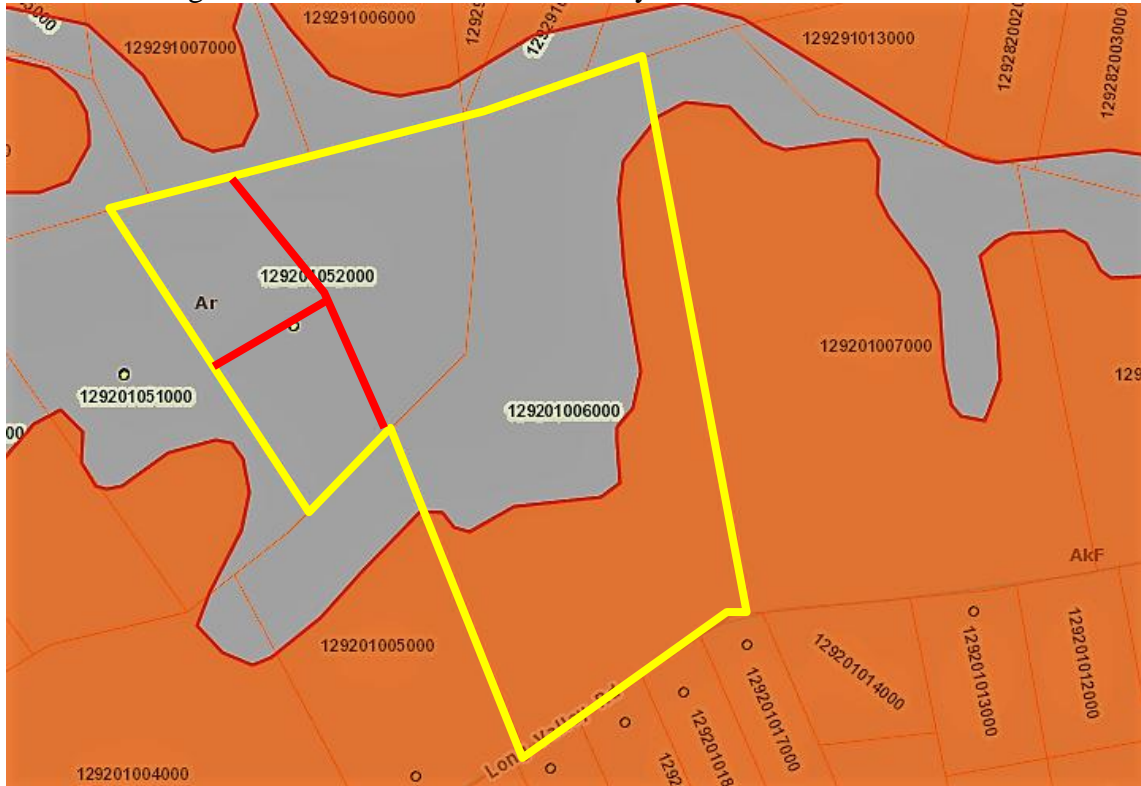
NCCLUP Policy 4.3.6.D.7 (portion)

The Long Valley watershed area shall be bounded by the ridgelines located south of Strawberry Canyon Road and north of Paradise Canyon Road; by Elkhorn Road and Walker Valley Road on the west; and the Coastal Zone boundary on the east. Preservation of both the natural habitat and watershed shall be of the utmost priority. Maritime Chaparral and stands of Monterey Pine, Coast Live Oak, Madrone, and Manzanita shall be protected to the maximum extent feasible. The highly erodible, Arnold Loamy Sand soils shall be protected to the maximum extent feasible.... (Underline added).

The photo below shows the location and expanse of Arnold Loamy Sand on the project area (highlighted in orange). Approval of the Lot Line Adjustment with all development clustered in

the northwest corner of the site, would eliminate potential degradation and impacts to the highly erodible Arnold Loamy Sand, particularly with the requirement that the areas consisting of Arnold Loamy Sand be covered with a conservation easement (Condition 6). A proposed resource protection/easement map (dated October 27, 2016; Exhibit C), has been attached to this report, demonstrating the areas of each parcel which will be excluded from development and placed into the Scenic and Conservation easement.

Aerial showing Location/Extent of Arnold Loamy Sand



Visual Resources/Ridgeline Development

This is not identified as a visually sensitive area in the North County Coastal Land Use Plan; however if future homes were located at the upper elevations of the property, they would have the potential to create ridgeline development. The Policies of the North County Coastal Land Use Plan, and Implementation plan (applicable policies listed below) do not support a project which would result in Ridgeline Development or development which would significantly affect a ridgeline.

NCCLUP Policy 2.2.2.4

The least visually obtrusive portion of a parcel should be considered the most desirable site for the location of new structures. Structures should be located where existing topography and vegetation provide natural screening.

NCCLUP Policy 2.2.3.1

The scenic areas of North County including the coastal beaches and dunes, estuaries, wetlands, slopes adjacent to scenic corridors and viewpoints, and ridges shall be zoned for scenic conservation treatment.

North County Implementation Plan 20.144.030.B.6

Development constituting "ridgeline development shall not be allowed unless a Use Permit is first obtained. Ridgeline development is development on the crest of a hill which has the potential to create a silhouette or other substantially adverse impact when

viewed from a - common public viewing area. A use permit for such development may only be granted if the decision-making body is able to make findings that: 1) there are no alternatives to development so as to avoid ridgeline development; 2) the proposed development will not have significant adverse visual impacts due to required landscaping, required modifications to the proposal, or other conditions; or, 3) development on the ridge will minimize grading, tree removal, or otherwise better meet resource protection policies of the North County Land Use Plan or development standards of this ordinance. The proposed development shall be modified for height, bulk, design, size, location, and siting, and/or shall incorporate landscaping or other techniques so as to avoid or minimize the visual impacts of ridgeline development as viewed from a public viewing area

North County Implementation Plan 20.144.030.B.7

New subdivisions and lot line adjustments shall not configure a lot so as to create a building site that will result in ridgeline development. Where initial application review indicates that ridgeline development may result on a proposed lot, the applicant shall demonstrate that there is a building site and building height(s) available which will not create ridgeline - development. As such, possible building site dimensions and roof heights shall be delineated by poles with flags, subject to an on-site investigation by the planner prior to the application being considered complete. A condition of project approval shall be the establishment of a building site and a building height envelope that provides specifications for non-ridgeline development on the lot(s) in question. Both envelopes shall require approval of the Director of Planning and an on-site investigation by the project planner prior to such approval.

To prevent the potential for ridgeline development, the northern portions of the property, where upper elevations exist (along the ridgelines) have been excluded from development, and are included in the areas being placed into a Scenic and Conservation Easement. Additionally, future residential construction is subject to discretionary action (Coastal Administrative Permit) during which time flagging/staking and structure placement can be further analyzed. At the time of residential construction, the sites should be fully flagged/staked to the proposed building height to ensure that ridgeline development is not allowed.

Conclusion

The primary purpose of the lot line adjustment application is to allow future development in a more clustered development pattern, and preserve/protect the aesthetic and sensitive resources that are located within the subject properties. Conditions requiring the placement of areas containing Arnold Loamy Sand, Maritime Chaparral, and upper ridges into a Scenic and Conservation Easement would prohibit future residential development within these areas, which futures the goals and policies found within the North County Coastal Land Use Plan and North County Implementation Plan.

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Exhibit B

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DRAFT RESOLUTION

Before the Planning Commission in and for the County of Monterey, State of California

In the matter of the application of:

VAN GREUNEN, JOHANNES AND KRISTI (PLN150489)

RESOLUTION NO. ----

Resolution by the Monterey County Hearing Body:

- 1) Finding the project Categorical Exempt per CEQA Section 15305(a); and
- 2) Approving a Coastal Development Permit for a Lot Line Adjustment between three existing conforming parcels of 13.5 acres (Parcel C), 7.4 acres (Parcel A), and 19.1 acres (Parcel B) resulting in three reconfigured parcels of 2.9 (Lot 1) acres, 3.6 acres (Lot 2), and 33.5 acres (Lot 3).

[PLN150489, VAN GREUNEN, Johannes and Kristi, 6820 Long Valley Road, Royal Oaks, North County Coastal Land Use Plan (APN: 129-201-052-000 and 129-201-006-000)]

The Van Greunen Lot Line Adjustment application (PLN150489) came on for public hearing before the Monterey County Planning Commission on September 28, 2016, October 26, 2016, and November 9, 2016. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY/SITE SUITABILITY** – The Lot Line Adjustment, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
EVIDENCE: a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - the 1982 Monterey County General Plan;
 - North County Coastal Land Use Plan;
 - Monterey County Coastal Implementation Plan Part 2;
 - Monterey County Zoning Ordinance (Title 20);
 - Monterey County Subdivision Ordinance (Title 19);Staff has applied the provision of the zoning ordinance that allows parcels of less than 5 acres to accommodate “clustered residential development”. Staff supports the concept of clustering, in this particular case, because it will concentrate development on portion of that site that will preserve, Environmental Sensitive Habitat areas (ESHA), Maritime Chaparral, slopes in excess of 25%; and prohibit development on highly erodible soil (Arnold Loamy Sand). Approval of

the lot line adjustment better meets the policies of the North County Land Use Plan. No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

- b) The property is located at 6820 Long Valley Road, Royal Oaks (Assessor's Parcel Number 129-201-052-00 AND 129-201-006-000), North County Coastal Land Use Plan. The parcel is zoned "RDR/10(CZ)" or Rural Density Residential, 10 acre maximum density, Coastal Zone, which allows Lot Line Adjustments as a conditionally permitted use, subject to a Coastal Development.
- c) The proposed project is a Coastal Development for a Lot Line Adjustment between three existing conforming parcels of 13.5 (Parcel C) acres, 7.4 acres (Parcel A), and 19.1 acres (Parcel B) resulting in three reconfigured parcels of Lot 1 (2.9 acres), Lot 2 (3.6 acres), and Lot 3 (33.5 acres). Therefore, the project is an allowed land use for this site.
- d) Neither parcel is under Williamson Act contract or used for agricultural purposes.
- e) Rural Density Residential (RDR) Site Development Standards.
The RDR/10 zoning designation, allows residential development subject to specific development standards (coverage, height, and setbacks), and requires a minimum building site of five acres unless otherwise approved as part of clustered residential development and a maximum gross density of 10 acres/unit. Each of the existing lots are sized larger than the 5 acre minimum. The reconfigured lots will result in a two of the three new lots being under the 5 acre minimum (2.9 and 3.6 acres), but due to the "clustering" of the future residential developable areas, these lots can be approved. The overall density of development will not change and will continue to be consistent with the 10 acres/unit requirement (3 lots on 40 acres = 13.3 acres/unit). The application of a the "B-6" overlay (Condition 7) to the reconfigured 33.6 acre parcel will ensure not future subdivision, which will also maintain the 10 acres/unit density development of the overall 40 acre area.
- f) North County Coastal Land Use Plan Development Policies.
Policies 2.3.2.6 and 2.3.3.2 of the North County Coastal Land Use Plan require the County to ensure preservation of environmental sensitive habitat areas, including Maritime Chaparral. Preservation shall be achieved through the establishment of deed restrictions and/or conservation easements. The subject property contains Maritime Chaparral which are considered an uncommon environmentally sensitive habitat. Approval of the lot line adjustment would result in a reconfigured lot line pattern, with all development clustered in the northwest corner of the site, which would eliminate potential degradation of Maritime Chaparral. Condition 6 requires that all areas mapped and identified as Maritime Chaparral be placed into a Scenic and Conservation Easement, which ensure preservation of these areas.
- g) Policy 4.3.6.D.7 of the North County Coastal Land Use Plan requires protection of Arnold Loamy Sand, a highly erodible soil type. The southern extent of the project site is composed primarily of Arnold Loamy Sand. Approval of the Lot Line Adjustment with all

development clustered in the northwest corner of the site, would eliminate potential degradation and impacts to the highly erodible Arnold Loamy Sand, particularly with the requirement that the areas consisting of Arnold Loamy Sand be covered with a conservation easement (Condition 6).

- h) Policy 2.2.3.1 of the North County Coastal Land Use Plan in part requires “...slopes adjacent to scenic corridors and viewpoints, and ridges shall be zoned for scenic conservation treatment.” The northern most portion of the project site is an upper elevation ridge which is visible from public roads. This portion of the project site is being placed in to a Scenic and Conservation Easement (Condition 6) which will preserve this portion of the land in an undeveloped state.
- i) Policy 20.144.030.B.7 of the North County Implementation Plan specifies that new subdivisions and lot line adjustment shall allow reconfiguration(s) which creates a building site what will result in ridgeline development. In this particular case, the ridgeline located in the northern portion of the property is being placed into a Scenic and Conservation Easement (Condition 6), which prohibits development within this area. The placement of these areas into a Scenic and Conservation is consistent with the intent of Policy 20.144.030.B.7 and ensures that the reconfigured lots will not result in building sites that will result in ridgeline development.
- j) The project has been reviewed for site suitability by the following departments and agencies: RMA-Planning, North County Fire Protection District, RMA-Public Works, RMA-Environmental Services, Environmental Health Bureau, and Water Resources Agency. There has been no indication from these departments/agencies that the Lot Line is not consistent with applicable regulations/policies. Conditions recommended have been incorporated.
- k) See preceding and following Findings and Evidence.

2. **FINDING:** **LOT LINE ADJUSTMENT** – Section 66412 of the California Government Code (Subdivision Map Act) Title 19 (Subdivision Ordinance) of the Monterey County Code states that lot line adjustments may be granted based upon the following findings:

- 1. The lot line adjustment is between four (or fewer) existing adjoining parcels;
- 2. A greater number of parcels than originally existed will not be created as a result of the lot line adjustment;
- 3. The parcels resulting from the lot line adjustment conforms to the County’s general plan, any applicable specific plan, and zoning and building ordinances.

- EVIDENCE:**
- a) The Lot Line Adjustment between existing parcels of 13.5 acres (Parcel C), 7.4 acres (Parcel A), and 19.1 acres (Parcel B) resulting in three reconfigured parcels of 2.9 (Lot 1) acres, 3.6 acres (Lot 2), and 33.5 acres (Lot 3).
 - b) The lot line adjustment is between three existing adjoining parcels and will not create a greater number of parcels than originally existed. Three contiguous separate legal parcels of record will be adjusted and three contiguous separate legal parcels of record will result from the

- adjustment. No new parcels will be created.
- c) The proposed lot line adjustment is consistent with the Monterey County Zoning Ordinance (Title 20), North County Coastal Land Use Plan, and 1982 Monterey County General Plan, which remains in effect for properties within the Coastal Zone. Staff verified that the subject properties are in compliance with all rules and regulations pertaining to the use of the property that no violations exist on the property.
 - d) As an exclusion to the Subdivision Map Act, no map is recorded for a Lot Line Adjustment. In order to appropriately document the boundary changes, a Certificate of Compliance for each new lot is required per a standard condition of approval.
 - e) See preceding and following Findings and Evidence.
3. **FINDING:** **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.
- EVIDENCE:**
- a) Staff reviewed Monterey County RMA-Planning and RMA-Building Services records and is not aware of any violations existing on subject property.
 - b) See preceding and following Findings and Evidence.
4. **FINDING:** **CEQA (Exempt):** - The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.
- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) Guidelines Section 15305(a), categorically exempts minor lot line adjustments not resulting in the creation of any new parcel(s).
 - b) The project is a lot line adjustment between three existing conforming parcels of 13.5 acres (Parcel C), 7.4 acres (Parcel A), and 19.1 acres (Parcel B) resulting in three reconfigured parcels of 2.9 acres (Lot 1), 3.6 acres (Lot 2), and 33.5 acres (Lot 3). No new parcels will be created by this application.
 - c) The project does not involve land with an average slope of more than 20% and will not result in any changes to land use or density for the subject parcels.
 - d) No adverse environmental effects were identified during staff review of the development application.
 - e) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The project does not involve a designated historical resource, a hazardous waste site, development located near or within view of a scenic highway, unusual circumstances that would result in a significant effect or development that would result in a cumulative significant impact.
 - f) See preceding and following Findings and Evidence.
5. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors.
- EVIDENCE:**
- a) Board of Supervisors: Section 19.01.050.A of the Monterey County

Subdivision Ordinance (Title 19 – Coastal Zone) and Section 20.86.030 of the Monterey County Zoning Ordinance (Title 20) allow an appeal to be made to the Board of Supervisors by any public agency or person aggrieved by a decision of an Appropriate Authority other than the Board of Supervisors.

- b) Coastal Commission: Section 20.86.080.A.3 of the Monterey County Zoning Ordinance (Title 20). The project is subject to appeal by/to the California Coastal Commission because it involves development that is permitted in the underlying zone as a conditional use.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Planning Commission does hereby:

1. Find the project Categorically Exempt per Section 15305(a);
2. Approve a Coastal Development Permit for a Lot Line Adjustment between three existing conforming parcels of 13.5 acres (Parcel C), 7.4 acres (Parcel A), and 19.1 acres (Parcel B) resulting in three reconfigured parcels of 2.9 acres (Lot 1), 3.6 acres (Lot 2), and 33.5 acres (Lot 3).

PASSED AND ADOPTED this 9th day of November, 2016 upon motion of _____, seconded by _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Jacqueline R. Onciano, Planning Commission Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON _____.

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE _____.

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

Monterey County RMA Planning

DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN150489

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This Coastal Development Permit (PLN150489) allows a Lot Line Adjustment between three existing conforming parcels (13.5 acres [Parcel C], 7.4 acres [Parcel A], and 19.1 acres [Parcel B]) resulting in three reconfigured lots of 2.9 acres (Lot 1), 3.6 acres (Lot 2), and 33.5 acres (Lot 3). The property is located at 6820 Long Valley Road, Royal Oaks (Assessor's Parcel Numbers 129-201-052-000 and 129-201-006-000), North County Coastal Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of RMA - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"A Coastal Development Permit for Lot Line Adjustment (Resolution Number ***) was approved by the Monterey County Planning Commission for Assessor's Parcel Numbers 129-201-052-000 and 129-201-006-000 on November 9, 2016. The permit was granted subject to 8 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to recordation of any Certificates of Compliance. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to the recordation of any certificates of compliance, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning.

3. PD006(A) - CONDITION COMPLIANCE FEE

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors, for the staff time required to satisfy conditions of approval. The fee in effect at the time of payment shall be paid prior to clearing any conditions of approval.

Compliance or Monitoring Action to be Performed: Prior to clearance of conditions, the Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors.

4. PD032(A) - PERMIT EXPIRATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The permit shall be granted for a time period of 3 years, to expire on November 9, 2016 unless recordation of the new Certificates of Compliance for each new lot has occurred. (RMA-Planning)

Compliance or Monitoring Action to be Performed: Prior to the expiration date stated in the condition, the Owner/Applicant shall record new certificates of compliance, the satisfaction of the RMA-Director of Planning. Any request for extension must be received by RMA-Planning at least 30 days prior to the expiration date.

5. PD045 - COC (LOT LINE ADJUSTMENTS)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall request unconditional Certificates of Compliance for the newly configured parcels. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to the expiration of the entitlement, the Owner/Applicant/Surveyor shall prepare legal descriptions for each newly configured parcel and submit them to RMA-Planning for review and approval. The legal descriptions shall be entitled "Exhibit A." The legal description shall comply with the Monterey County Recorder's guidelines as to form and content. The Applicant shall submit the legal descriptions with a check, payable to the Monterey County Recorder, for the appropriate fees to record the Certificates of Compliance.

Prior to the expiration of the entitlement and after the Certificates are recorded, the Owner/Applicant shall file a request and pay the fees for separate assessments or combination assessments (for lot mergers) with the Assessor's Office.

6. PDSP01 - EASEMENT - CONSERVATION AND SCENIC (SLOPES, CHAPARRAL, RIDGELINE, ERODIBLE SOILS) (NON-STA

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: A conservation and scenic easement shall be conveyed to the County over those portions of the property where:

- 1) the slope exceeds 25% percent.; and
- 2) Maritime Chaparral habitat and potential habitat is located (full extent to be determined by a certified Ecologist/Biologist); and
- 3) Arnold Sandy Loam (erodible soil) is located and mapped; and
- 4) the ridgelines are visible from public roadways (see Map located at Exhibit ___ of the November 9, 2016 Planning Commission Staff report).

The easement shall be developed in consultation with appropriate certified professionals. A conservation and scenic easement deed shall be submitted to, and approved by, the Director of RMA - Planning and accepted by the Board of Supervisors prior to recording the parcel map. (RMA – Planning)

Compliance or Monitoring Action to be Performed: Prior to recordation, the Owner/Applicant shall submit the conservation and scenic easement deed and corresponding map, showing the exact locations of all protected areas, along with metes and bound description(s) developed in consultation with appropriate certified professional, to the Director of RMA-Planning for review and approval.

Prior to recordation of the Certificates of Compliance the owner/applicant shall record the deed and map showing the approved conservation and scenic easement. Submit a copy of the recorded deed and map to the Director of RMA-Planning.

7. PDSP02 - "B-6" ZONING OVERLAY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to recordation of the Certificate of Compliance, the Owner/Applicant shall apply ensure that a "B-6" Zoning Overlay is added to the reconfigured 33.6 acre parcel (Parcel 3). An application for the required zoning change/overlay shall be made, along with applicable fees, to the RMA-Planning Department.

Compliance or Monitoring Action to be Performed: Prior to recordation of the Certificate of Compliance for any new lot configuration, the Owner/Applicant shall apply for a receive approval for a zoning change/overlay, adding a "B-6" Zoning Overlay to the reconfigured 33.6 acre parcel (Parcel 3).

8. CC01 INDEMNIFICATION AGREEMENT

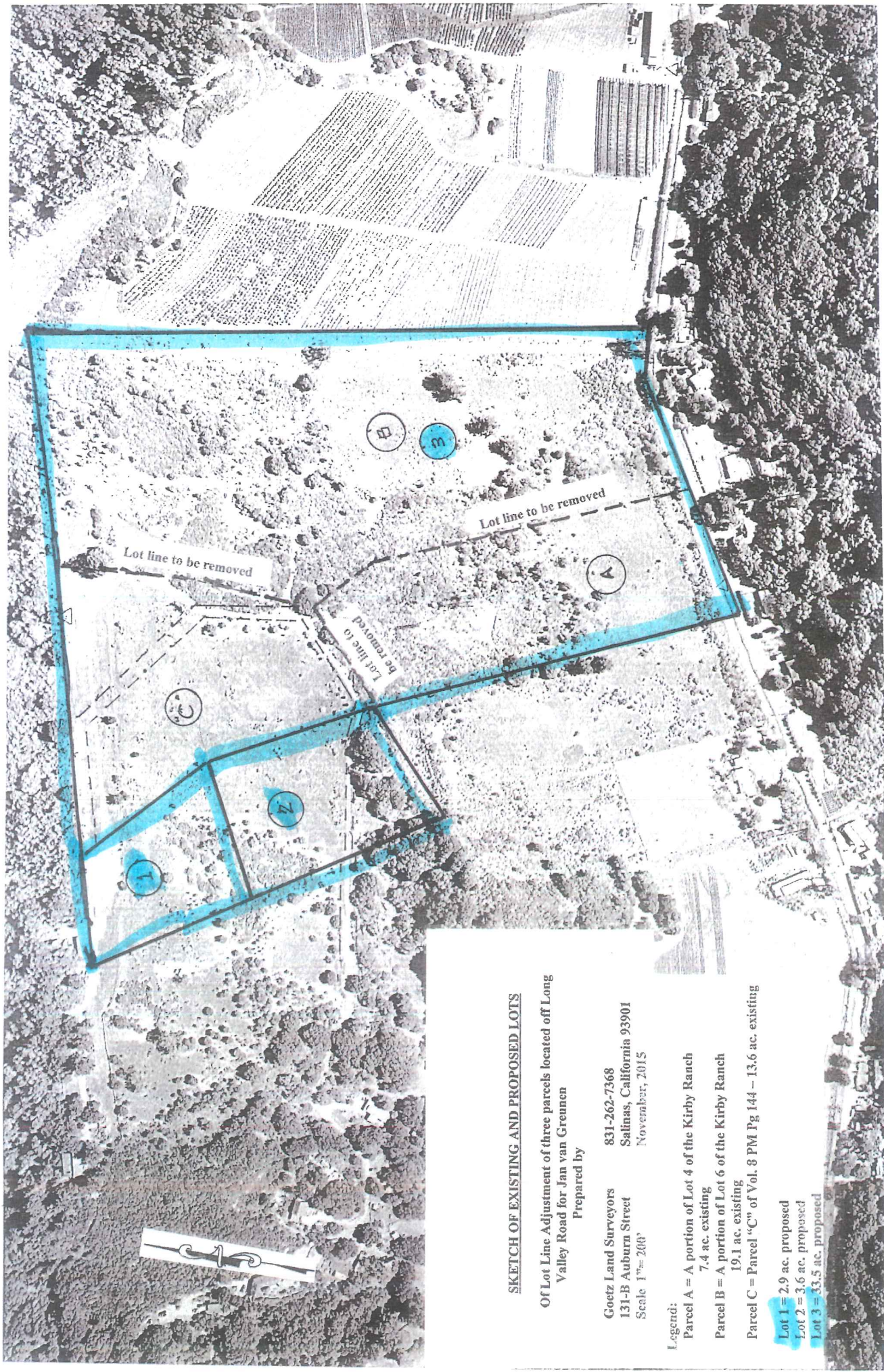
Responsible Department: County Counsel

Condition/Mitigation Monitoring Measure: The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his/her/its obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, recordation of the certificates of compliance whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless. (County Counsel)

Compliance or Monitoring Action to be Performed: Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, or recordation of Certificates of Compliance, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the County Counsel for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the Office of County Counsel.

Proposed



SKETCH OF EXISTING AND PROPOSED LOTS

Of Lot Line Adjustment of three parcels located off Long Valley Road for Jan van Greunen
Prepared by

Goetz Land Surveyors 831-262-7368
131-B Auburn Street Salinas, California 93901
Scale 1" = 200' November, 2015

- Legend:
- Parcel A = A portion of Lot 4 of the Kirby Ranch
7.4 ac. existing
 - Parcel B = A portion of Lot 6 of the Kirby Ranch
19.1 ac. existing
 - Parcel C = Parcel "C" of Vol. 8 PM Pg 144 - 13.6 ac. existing
 - Lot 1 = 2.9 ac. proposed
 - Lot 2 = 3.6 ac. proposed
 - Lot 3 = 33.5 ac. proposed

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Exhibit C

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Monterey County Basemap

Other protected lands easement Page 1 of 1

Maritime Chaparral Plant Community and other protected habitat easement

Easement on Ridgeline

Search

Sign in

I want to...



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 OCT 26 2016
 MONTEREY COUNTY
 PLANNING DEPARTMENT

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Exhibit D

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Jan & Kristi van Greunen
6820 Long Valley Spur
Castroville, CA 95012

RE: 129-201-052, 13 acre lot proposed for lot line readjustment into 5 parcels

Dear Jan and Kristi,

It was a real pleasure meeting you and touring around your beautiful property. As we discussed the purpose for the visit was to survey and evaluate each of the 5 potential parcels that you have identified as potential home sites. We looked at the location for each building site in regards to view sheds from without and within the property, and biology. In particular, we looked carefully for the special status species known to occur in this part of the county to determine if they were present and if so what would be necessary in locating the building envelopes to completely avoid impacts to those species. Previous to our visit I prepared a target list for species to look for by querying the California Natural diversity Database (CNDDDB) and the California Native Plant Society inventory of rare, threatened and endangered species. Your property is in the Prunedale quadrant of the USGS mapping system. The Prunedale quad is a bit of a hotspot for the plant community known as central Maritime Chaparral and all the individual species that are found within it. A complete list of the CNDDDB output species and habitat types is attached in appendix #1. Based on this query, key species that have the potential to occur on this project site include The California Tiger Salamander (*Ambystoma californiense*), Santa Cruz long toed Salamander (*Ambystoma macrodactylum croceum*), California red legged frog (*Rana draytonii*), California Clapper rail (*Rallus longirostris obsoletus*), Hookers manzanita (*Arctostaphylos hookeri* ssp. *hookeri*), Pajaro manzanita (*Arctostaphylos pajaroensis*), Monterey Spineflower (*Chorizanthe pungens* var. *pungens*), Seaside Birds beak (*Cordylanthus rigidus* ssp. *littoralis*), Robust spineflower (*Chorizanthe robusta* var. *robusta*), Yadon's rein orchid (*Piperia yadonii*), Santa Cruz tar plant (*Holocarpha macradenia*) and the plant community Central Maritime chaparral. Given the inland location it is clear that the Clapper rail, a Shore bird will not be an issue and other species, primarily dependent on riparian or wetland habitat will be easily ruled out. But those dependent on woodland and chaparral conditions would have to be considered. With the exception of late blooming Santa Cruz tar plant and Congdon's tar plant the timing of the visit was suitable for being able to locate and identify flowering parts of all the plants that could potentially occur on the property.

The proposed subdivision is on the legal parcel on a ridge that gently slopes to the Southwest above Long Valley road in the Elkhorn highlands. The 5 parcel project sits at an elevation ranging from approximately 300 up to about 450 feet on a sandstone ridge that has portions of deep sandy soil and other locations where the rock substrate is exposed at the surface. The property is a mosaic of plant communities including annual grassland, oak woodland and central maritime chaparral readily apparent from aerial photographs and confirmed by walking the site. Annual grasslands are composed of mostly nonnative annual grasses introduced into California from other parts of the world. This is the dominant plant community for the entirety of Parcels 3 and 4. Weedy species like wild oats, ripgut brome and rattlesnake grass are found in a continuous stand dotted occasionally by Coyote bush and poison



hemlock. Oak woodland is less frequent on the site and is dominated by Coast live oak and typical understory components Snowberry, Toyon, coffee berry, evergreen huckleberry, sticky monkey flower and the ubiquitous poison oak. This community is found along the northern edge and at the southwestern point of the site and in both locations appears to be transitional from the Central maritime chaparral. Central maritime chaparral occupies an area at the west edge of the property between parcels 1,2 and 3 and larger swaths east of parcel 4 and 5. It is the most sensitive habitat type on the property and will be discussed in greater detail below.

You have already done a reasonable job of establishing the general boundaries of these plant communities as you have drawn your tentative plans for the subdividing of the property. Your building sites are clustered within primarily annual grassland and the easement areas for conservation and hiking pathways are primarily within the Central maritime chaparral and oak woodland. As we discussed in our walk around the property it may be possible to move your building envelopes for parcels 1 and 2 slightly back to the north to avoid any possibility of encroaching on the maritime chaparral down slope and being too visible on the side of the ridge from the surrounding areas. Before getting into more detail on individual sites and the native species on or near them I will first address the nonnative species.

Weed eradication efforts

At the opposite end of the spectrum from the rare, threatened and endangered species that could occur on your property are the various weeds that do and in particular those that you have been working very hard to eradicate in the central maritime chaparral and oak woodland and throughout the entire site.



The plant dominating the view in the above photo is Pampas or jubata grass (*Cortaderia jubata*) Jubata grass is native to northern Argentina and the Andes of Bolivia, Peru, Chile, and Ecuador (Costas-Lippmann 1977). In its native range it can be found from sea level to elevations greater than 11,000 feet (3,400 m). It was first cultivated in France and Ireland from seed collected in Ecuador (Costas-Lippmann 1977). It is not clear how or when it was introduced into California, but it may have come through France via the horticultural trade (Madison 1992). *Cortaderia jubata* (jubatagrass) is a large perennial grass (family Poaceae) found along the coast of California and in the Coast Ranges. Jubatagrass favors dunes, bluffs, and disturbed areas, including inland areas where temperatures are moderated by fog. It was introduced as an ornamental plant and for erosion control. Each plume produces up to 100,000 seeds that are widely dispersed by wind and develop without fertilization. Jubata grass quickly colonizes bare ground, but establishment is generally poor where the seedlings must compete with other grasses or sedges.

Having seen the patches of jubata grass still persisting on the property I can only imagine how dense it was when you first started your eradication efforts. As I am sure you already know from experience, the most critical aspect of your eradication efforts is the prevention of seed production each year. Even if you are unable to cut, dig or spray herbicide on a particular plant it is worth taking the time to cut off the flowering plumes on it before they develop seed. I do not believe we will ever be able to completely eradicate this invasive plant from the Central coast region, but you are doing yourselves and your neighbors a significant favor by putting in that effort now. As you move toward realization of the subdivision and development of home sites it may be wise to include some conditions for home owners that this particular plant not be allowed to persist on the individual lots. This can be a part of the easement wording in regards to the preservation of the Central maritime chaparral plant community that this plant so readily invades. It is interesting that the Jubata grass has a difficult time establishing in the dense cover of grasslands, but has no such difficulty in often bare mineral soils between the shrubs of the chaparral.

Sensitive species and habitat

As previously discussed, the property supports a number of sensitive plant species that are associated with and indicative of the plant community known as Central maritime chaparral . Specifically these stands are part of the *Arctostaphylos pajaroensis* shrubland alliance called Pajaro manzanita chaparral. This habitat has the highest possible rarity ranking with fewer than 6 occurrences worldwide. Co-dominant with the Pajaro manzanita are Chamise, Hookers manzanita, brittle leaf manzanita, Coyote bush, Monterey ceanothus, monkey flower, Coffee berry, Toyon, Deerweed, Black sage and poison oak. This plant community frequently supports five rare plants including two federally listed ones. In addition to the rare manzanita species, Monterey spine flower, Eastwood's golden bush and Yadon's rein orchid are typical understory herbaceous components. The Monterey Spine flower and Yadon's rein orchid are federally listed as Threatened and Endangered respectively. Monterey spine flower was found on the property south of proposed parcel 5 in sandy open soil. No Yadon's rein orchid or Eastwood's golden bush was found during my survey. An additional species found on site in openings between the larger shrubs of the Central maritime chaparral is the small-leaved lomatium (*Lomatium parvifolium*) This small

perennial is listed by the California Native Plant society as a species to watch on List 4 and is considered uncommon and fairly endangered in California.

Preservation of these species individually and the plant community as a whole should be prioritized in the final design of the building sites, roads and driveways, but it should be pointed out that long term management of this dynamic, fire dependent habitat will require some potential adaptation in the future. Oak and Pine trees tend to encroach upon the maritime chaparral as the stands age and mature between fire events (multiple decades or more) and will eventually shade out the *Arctostaphylos* and *Ceanothus* species and reduce the diversity of the plant species composition. Without natural disturbance like fire, these stands will not have the same composition, density or height that they have today. It is not possible to manage these areas as static components of the natural landscape. Research is ongoing as to how provide occasional manmade disturbances that will potentially renew and "reset the clock" on the successional process in plant communities such as this. For the time being, removing nonnative invaders and preserving as open space the stands of maritime chaparral on the site are important to the future of the species and community. This includes the large stand in the western most part of the property as well as fragments on the west edge of the existing dirt road between parcel 4 and 5 and significant stands east of that dirt road and over to the steeper slopes above the farmland easement. The Monterey spine flower that was identified during the survey is in this eastern portion and is indicative of the possibility that it exists in the seed bank throughout greater areas of this easement. Ironically, this species is a disturbance dependent annual that will typically only germinate in significant quantities when the sandy soil it prefers is somehow moved by wind, water, fire or grading or other human soil disturbance. It is not unusual for areas that have been surveyed and found lightly occupied or vacant to be literally covered with this and other unique native annuals in the first spring post grading. This only further emphasizes the wisdom of keeping your development zone and specific building envelope locations in long since invaded and disturbed areas that you have chosen and avoiding development beyond walking trails in those areas with whole compositions or fragments of the central maritime chaparral.

No other special status species were found on the project site. Following is list of the species that have a potential to occur on the property with additional details about habitat needs, physical features and characteristics and whether or not they were found on the property.

van Greunen CNDDDB Output for Prunedale Quad. PLANT, ANIMAL & HABITAT DESCRIPTIONS

ANIMAL SPECIES

Actinemys marmorata – Western pond turtle. California Species of Special Concern.

The State's only abundant native turtle, the western pond turtle is uncommon to common in suitable aquatic habitat throughout California, west of the Sierra-Cascade crest and absent from desert regions, except in the Mojave Desert along the Mojave River and its tributaries. Elevation range extends from near sea level to 1430 m (4690 ft) (Jennings and Hayes 1994). Associated with permanent or nearly permanent water in a wide variety of habitat types. Individuals normally associate with permanent



ponds, lakes, streams, irrigation ditches or permanent pools along intermittent streams. No Suitable habitat on site.

***Ambystoma californiense* - California Tiger salamander.** Federal Threatened, State Threatened. Adult tiger salamander is a semi-permanent resident of annual grasslands and valley and foothill woodlands, and is occasionally found along streams. Adults spend most of the year underground in mammal burrows, logs or rocks, typically within 500 yards or closer to breeding locations. The first heavy rains of winter initiate the migration of adults to permanent and temporary ponds (Stebbins 1985). Larvae require ponds, lakes or vernal pools usually in grasslands. Ponds stocked with mosquito fish are known to have reduced or eradicated populations altogether. No suitable breeding habitat on site. Marginal upland habitat on site.

***Ambystoma macrodactylum croceum* – Santa Cruz long toed salamander.** Federal Endangered, State Endangered, DFG Fully Protected. A small ambystomatid salamander. Differs from the other four subspecies of long-toed salamanders by a series of discrete, irregular patches of dull orange or metallic yellow markings on its dorsal side and by greatly reduced dorsal head markings of small scattered dots, which are often absent, anterior to the eyes. The ventral surface is sooty black, with bluish to whitish flecks on the sides. Habitat Comments: Coastal woodland and chaparral near ponds and marshes used for breeding (California Department of Fish and Game 1990). Shade and abundant soil humus are prime requirements. Spends most of time underground in animal burrows or in spaces among root systems of woody plants. Breeds in shallow ponds with abundant submerged vegetation; ponds fill in winter and spring, dry by late summer, must hold water for at least 90 days. Eggs are laid on submerged stalks of spike rush or similar aquatic plants. Known in only a few breeding locations in coastal Southern Santa Cruz and Northern Monterey Counties. No suitable habitat on site.

***Athene cunicularia* – Burrowing owl.** California Species of Special Concern.

A yearlong resident of open, dry grassland and desert habitats and in grass, forb and open shrub stages of pinyon-juniper and ponderosa pine habitats. Formerly common in appropriate habitats throughout the state, excluding the humid northwest coastal forests and high mountains. Numbers markedly reduced in recent decades. Present on the larger offshore islands. Found as high as 1600 m (5300 ft) in Lassen Co.

Uses rodent or other burrow for roosting and nesting cover. Moves perch to thermoregulate; perches in open sunlight in early morning, and moves to shade, or to burrow, when hot (Coulombe 1971). Reproduction: Usually nests in old burrow of ground squirrel, or other small mammal. Frequents open grasslands and shrublands with perches and burrows. Some marginal habitat on site.

***Elanus leucurus* – White tailed kite.** DFG Fully Protected.

Common to uncommon, yearlong resident in coastal and valley lowlands; rarely found away from agricultural areas. Inhabits herbaceous and open stages of most habitats mostly in cismontane California. Has extended range and increased numbers in recent decades.

Uses herbaceous lowlands with variable tree growth and dense population of voles (Waian and Stendell 1970). Substantial groves of dense, broad-leafed deciduous trees used for nesting and roosting.



Preys mostly on voles and other small, diurnal mammals, occasionally on birds, insects, reptiles, and amphibians. Forages in undisturbed, open grasslands, meadows, farmlands and emergent wetlands. Soars, glides, and hovers less than 30 m (100 ft) above ground in search of prey. Slowly descends vertically upon prey with wings held high, and legs extended; rarely dives into tall cover (Thompson 1975). Potential nesting habitat nearby, suitable habitat on site and adjacent.

Rallus longirostris obsoletus – California clapper rail. Federal Endangered, State Endangered, DFG Fully Protected.

Locally common yearlong in coastal wetlands and brackish areas around San Francisco, Monterey, and Morro bays (California clapper rail, *R. l. obsoletus*); in coastal saline emergent wetlands along southern California from Santa Barbara Co. to San Diego Co. (light-footed clapper rail, *R. l. levipes*); and April through September in freshwater and brackish emergent wetlands along the Colorado River from Needles southward, and around Salton Sea (Yuma clapper rail, *R. l. yumanensis*). Requires emergent wetlands and tidal sloughs. Occasionally uses ecotone between wetland and adjacent upland vegetation. No habitat on site.

Rana draytonii - California red-legged frog. Federal Threatened, California Species of Special Concern. In the coast range, requires ephemeral or permanent water, ponds, reservoirs, or creeks (with slow moving pools during the winter/spring) with water that lasts at minimum until the end of June for reproduction (Reis 1999a). During the late summer or fall, adult frogs are known to utilize a variety of upland habitat types with either leaf litter or mammal burrows. Adult frogs are known to travel as far as 3 miles overland in non-riparian habitats to an aquatic site. No suitable breeding habitat on site or nearby. No suitable habitat on site

Reithrodontomys megalotis distichlis - Salinas harvest mouse *Reithrodontomys megalotis distichlis* occurs in the region of Monterey Bay (Hall, 1981), in fresh and brackish water wetlands and probably in adjacent upland grasslands. It was included on the working list because of its restricted distribution and the high rate of urbanization in that area. Most of the wetland communities where these mice live are under protection. There is no evidence that they are threatened. No habitat on site.

Sorex ornatus salarius - Monterey shrew. California Species of Special Concern. *Sorex ornatus salarius* occupies a variety of riparian, wetlands and upland terrestrial communities in the vicinity of the Salinas River Delta (Owen and Hoffmann, 1983; unpubl. data). Although the region is undergoing intense development, I could not find information documenting its current status. The relatively wide range of communities providing habitat for *S. o. salarius* suggests that it is probably not jeopardized. No habitat on site.

Tryonia imitator - California brackishwater snail. Global concern, no State or Federal protection. Small aquatic snail that lives in tidal flushed brackish water of estuaries and Bays in Coastal Central California. No habitat on site.



PLANT SPECIES

Arctostaphylos hookeri ssp. hookeri - Hooker's manzanita. CNPS List 1B.2. Shrub, mat- to mound-like, generally < 1 m, sometimes 2–3 m; no burl. **Ecology:** Coastal scrub, woodland, Maritime chaparral. Flowers February to April.

Elevation: < 600 m.

Bioregional distribution: n&c Central Coast, w San Francisco Bay Area.

Plant found on site in Central maritime chaparral plant community areas south of parcel's 1 and 2 and east of parcel 4 and 5

Arctostaphylos pajaroensis - Pajaro manzanita. CNPS List 1B.1. Shrub 1–4+ m; no burl. **Ecology:** Chaparral. Flowers December to April.

Elevation: < 200 m.

Bioregional distribution: north-central Central Coast, s San Francisco Bay Area (Pajaro Hills)

Plant found on site in Central maritime chaparral plant community areas south of parcel's 1 and 2 and east of parcel 4 and 5.

Ceanothus cuneatus var. rigidus - Monterey ceanothus. CNPS List 4.2. Shrub, prostrate to erect, < 1.5 m. **Ecology:** UNCOMMON. Sandy hills, flats, closed-cone-pine forests. Flowers February to April

Elevation: < 200 m.

Bioregional distribution: s San Francisco Bay Area, Central Coast (near Hazard Canyon, San Luis Obispo Co.)

Plant found on site in Central maritime chaparral plant community areas south of parcel's 1 and 2 and east of parcel 4 and 5.

Centromadia parryi ssp. congdonii - Congdon's tarplant. CNPS List 1B.2. Plants annual prostrate to erect, not puberulent or glandular. **Ecology:** Alkaline Valley and Foothill Grassland. Blooms July to October

Elevation: < 100 m.

Bioregional distribution: c&s Central Western California.

Marginal habitat on site.(presumed extirpated in Prunedale quad)

Chorizanthe pungens var. pungens - Monterey spineflower. Federal Threatened, CNPS List 1B.2 Annual plant, prostrate or ascending. **Ecology:** Sandy openings in maritime chaparral, old and active dunes. Blooms April to July.

Elevation: 0-65 m.

Bioregional distribution: Central coast Monterey and Santa Cruz counties.

Plant found in disturbed sand of pathway east of parcel 4 and South of parcel 5

Chorizanthe robusta var. robusta - robust spineflower. Federal Endangered, CNPS List 1B.1 Annual, plant spreading or decumbent, 1–2 dm, 1–6 dm across. **Ecology:** Sandy or gravelly openings in Chaparral, dunes. Blooms May to September.

Elevation: 10-300 m.

Bioregional distribution: North central Central coast, South Santa Cruz, North Monterey Counties. Most records considered extirpated. Not documented in Prunedale quadrant.



***Cordylanthus rigidus ssp. littoralis* - seaside bird's-beak.** State Endangered, CNPS List 1B.1. Annual Plant 30–150 cm, yellow-green or tinged red, puberulent to soft hairy. **Ecology:** Dunes, openings in Maritime chaparral and Pine woodland. Blooms April to September.

Elevation: 0–200 m.

Bioregional distribution: c Central Coast (s Monterey Bay and Peninsula), s Central Coast (w Santa Barbara Co.) Potential habitat on site. Not previously documented in Prunedale quad.

***Ericameria fasciculata* - Eastwood's goldenbush.** CNPS List 1B.1. Shrub, plant < 5 dm, densely leafy, glabrous to sparsely puberulent. **Ecology:** Dunes, coastal chaparral, closed-cone-pine forest. Flowers July to October.

Elevation: < 100 m.

Bioregional distribution: c Central Coast (n Monterey Co.) Potential habitat on site.

***Fritillaria liliacea* - fragrant fritillary.** CNPS List 1B.2. Perennial bulb; large scales 2–7; small scales 1–2.

Ecology: Heavy soil, open hills and fields near coast. Blooms February to April.

Elevation: generally < 200 m.

Bioregional distribution: Sacramento Valley (Solano Co.), Central Western California. No habitat on site.

***Holocarpha macradenia* - Santa Cruz tarplant.** Federal Threatened, State Endangered, CNPS List 1B.1. Annual, densely glandular, strongly scented. Stems 1–5 dm; branches few, stiffly spreading, bristly, and glandular. **Ecology:** Grassy coastal terraces, Northern Coastal scrub. Blooms July to October.

Elevation: < 100 m.

Bioregional distribution: n Central Coast (n&c Monterey Bay), sw San Francisco Bay Area. No habitat on site.

***Lomatium parvifolium* - small-leaved lomatium.** CNPS List 4.2. Perennial plant 1.5–4 dm; taproot slender; herbage glabrous, ± glaucous, ± fleshy. **Ecology:** UNCOMMON. Pine woods, serpentine outcrops. Blooms March to June.

Elevation: 70–150 m.

Bioregional distribution: Central Coast, South Coast Ranges. Plant found in understory of disturbed maritime chaparral in Central western part of property south of Parcel 4

***Piperia michaelii* - Michael's rein orchid.** CNPS List 4.2. Perennial, caudex tuber- or bulb-like, 1–4 cm, generally ovoid, plant 15–70 cm. **Ecology:** UNCOMMON. Generally dry sites, coastal scrub, woodland, mixed-evergreen or closed-cone-pine forest. Flowers January to June.

Elevation: < 700 m.

Bioregional distribution: North Coast, Sierra Nevada Foothills, Central Coast, San Francisco Bay Area, n South Coast. No habitat on site.

***Piperia yadonii* - Yadon's rein orchid.** Federal Endangered, CNPS List 1B.1. Perennial, Caudex tuber- or bulb-like, 1–4 cm, generally ovoid, plant 10–50 cm. **Ecology:** Generally sandy soil or sandstone, coastal scrub, Monterey-pine forest. Flowers March to June.

Elevation: < 150 m.

Bioregional distribution: c Central Coast (n Monterey Co.). Suitable habitat on site. Plant not found on site

***Rosa pinetorum* - pine rose.** CNPS List 1B.2. Dwarf shrub, generally < 10 dm, ± rhizome. **Ecology:** Pine woodlands, canyons. Blooms May to July.



Elevation: generally < 300 m.

Bioregional distribution: west-central Central Western California. No habitat on site.

Habitat/ Plant Community types

Central Maritime Chaparral – A variable sclerophyll scrub of moderate to high cover (50-100%) dominated by forms of *Arctostaphylos tomentosa* plus one or more other narrowly distributed manzanita. Found on well-drained, sandy substrates within the zone of summer coastal fog incursion. Fire appears necessary for continued reproduction. Intergrades on more mesic, less sandy sites with Monterey Pine Forest, Bishop Pine Forest, and Monterey Pygmy Cypress Forest; with Chamise and Upper Sonoran Mixed Chaparral on stonier sites out of the foggy area; and with Lucian Coastal Scrub closer to the coast or on shaley substrates. Survives at scattered locations near Monterey and Ft. Ord (Pajaro Hills), and in southern San Luis Obispo and northern Santa Barbara counties. Significant patches found on and adjacent to project site.

Coastal Brackish Marsh – Usually at the interior edges of coastal bays and estuaries or in coastal lagoons. Adjacent to several Salt Marshes. Most extensively developed around Suisun Bay at the mouth of the Sacramento-San Joaquin Delta. Dominated by perennial, emergent, herbaceous monocots to 2m tall. Cover is often complete and dense. Similar to Salt Marshes and to Freshwater Marshes with some plants characteristic of each. Similar to Coastal Salt Marshes, but brackish from freshwater input. Salinity may vary considerably, and may increase at high tide or during seasons of low freshwater runoff or both. Usually intergrades with Coastal Salt Marshes toward the ocean and occasionally with Freshwater Marshes at the mouths of rivers, especially in the Sacramento-San Joaquin River Delta. Not found on or near project site.

Northern Coastal Salt Marsh - Along the coast from the Oregon border south to about Pt. Conception. Intergrades with Southern Coastal Salt Marsh over a considerable portion of the south central coast. Extensively developed around Humboldt Bay and other Humboldt Co. areas; Tomales Bay, Marin Co.; Elkhorn Slough, Monterey Co.; Morro Bay, San Luis Obispo Co.; and very extensively in the San Francisco Bay Area. Highly productive, herbaceous and suffrutescent, salt-tolerant hydrophytes forming moderate to dense cover and up to 1m tall. Most species are active in summer, dormant in winter. Usually segregated horizontally with *Spartina* nearer the open water, *Salicornia* at mid-littoral elevations, and a richer mixture closer to high ground. Usually found along sheltered inland margins of bays, lagoons, and estuaries. These hydric soils are subject to regular tidal inundation by salt water for at least part of each year. Not found on or near project site.





Figure 1: Dense central maritime chaparral in Western part of property

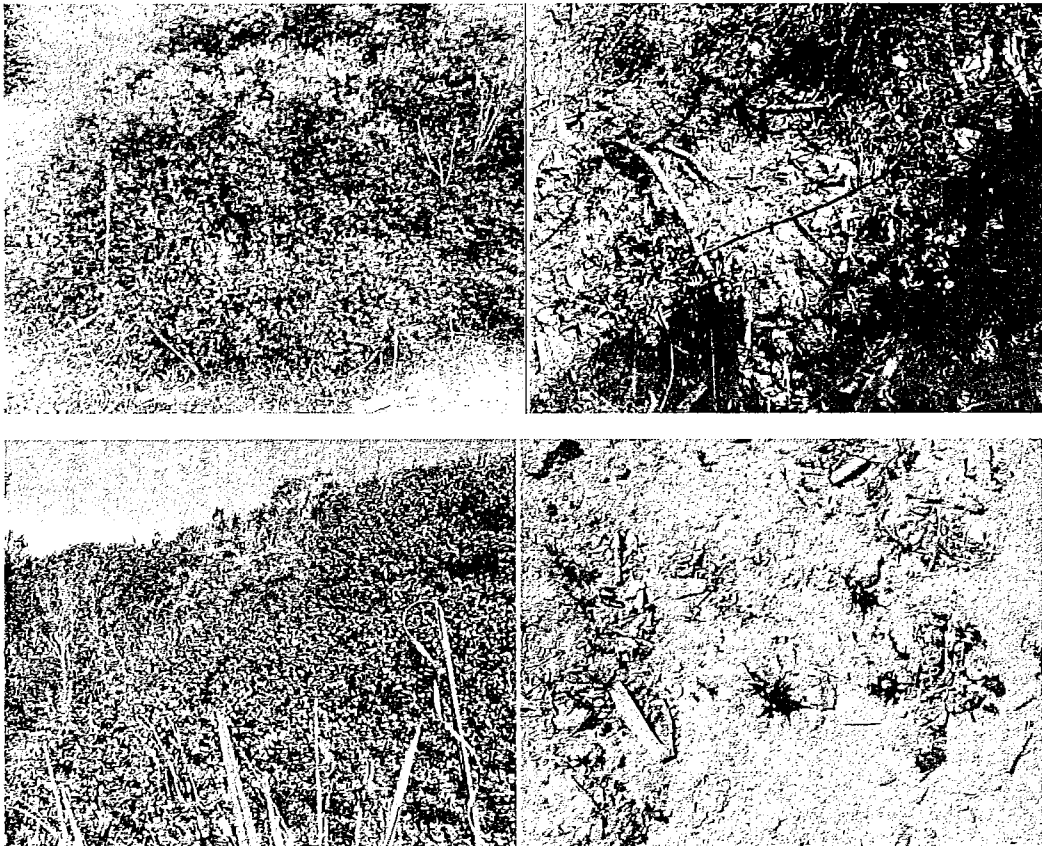


Figure 2: Dense annual grassland with occasional Coyote bush in middle of property where parcel 3 and 4 are proposed.





Figure 3: Stand of Oak woodland along south western edge of property as seen to southeast of proposed parcel 4



Special status species: top left: Hookers manzanita, top right: Small-leaved lomatium, Bottom left: Pajaro manzanita, Bottom right: Monterey spine flower.

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Jan & Kristi van Greunen
6820 Long Valley Spur
Castroville, CA 95012

August 8, 2015

RE: 129-201-052, 13 acre lot and 129-201-006 proposed for lot line adjustment into 3 legal parcels

Dear Jan and Kristi,

This update is an addendum to a report completed for your property in August 2013 (*van Greunen subdivision Biological assessment*). For that report we looked at the entire property, documented sensitive habitat and species and confirmed that none were found within proposed development areas. For this update on June 20, 2015 we looked again at the three areas that would become individual lots under the proposed lot line adjustment and confirmed the choice of potential building envelopes within each lot.

The primary plant communities represented within the 3 proposed lots are central Maritime chaparral, disturbed annual grassland and Oak woodland. Fragments, in varying sizes of each plant community are present on each of the three proposed lots. As determined in the 2013 report, no sensitive species were found in any of the proposed building envelopes. One species that was documented off of the subdivision acreage in 2013 also has the possibility of occurring in open sandy areas within maritime chaparral throughout the Pajaro hills region. Monterey Spineflower (*Chorizanthe pungens* variety *pungens*) is an annual flower that is listed as Threatened by the US Endangered species act and included on the California rare plant rank List 1B.2. It occurs in open sandy soils in Santa Cruz and Monterey Counties. It blooms from April to July. I looked for evidence of this species in the three potential building envelopes in open sandy areas. This visit was near the end of the typical bloom season but still early enough that we should have been able to identify the plant structure. No Monterey spineflower was found in any of these areas. To confirm that the plant would be detectable and identifiable if it were present, we looked in the area on the adjacent parcel to the east where it was documented in 2013.

While not as abundant as it was in 2013, it nevertheless was present in patches over an area about 50 feet long. As seen in the photo to the right it was at the end of the flowering stage and going to seed. This particular population will not be affected in any way by the lot-line adjustment and it confirms that if the species were currently growing within the 3 proposed lots we would have been able to locate and identify it.





adjustment.

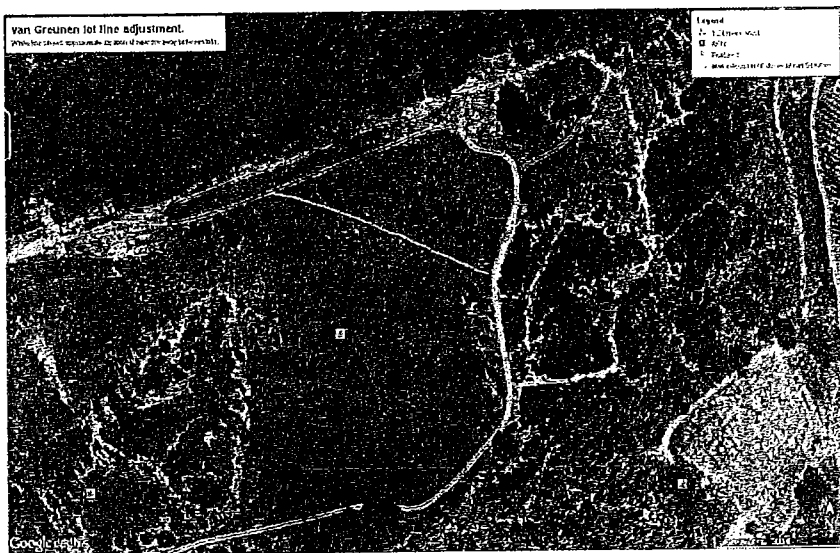
Other special status plants found on the property including Pajaro and Hookers manzanita were also not present in the proposed building envelopes. In fact the majority of the 3 lots is comprised of the annual grassland, which is easy to see in the aerial photo below. Between the lower road and the upper, less definite road along the ridge top is a sea of annual grassland with two smaller islands of Maritime chaparral in the lower left portion that will not be impacted by the lot-line

A revised driveway that will cross the open slope running SE to NW (Photo above left) will also pass only through the annual grassland at the upper end of the parcel. The aerial photo below shows the approximate location (white line) of the driveway crossing through the grassland between a few scattered coyote bushes, pine trees and Douglas' fir trees.

The lot adjustments and proposed building envelopes clustered in the nonnative annual grasslands have been carefully sited and chosen and will have no negative impacts to sensitive species or habitat on other adjacent properties and will in fact reduce peripheral impacts to the maritime chaparral east and west of the development area. This will allow virtually all of the potential development including single family dwellings, driveways, access roads and extension of utilities to occur entirely within previously developed or disturbed areas. This keeps all of the maritime chaparral intact and protects the plant community and individual species from development impacts and protects the natural beauty of this unique plant assemblage for future owners and generations. I applaud the sensitivity and effort at good planning!

Please feel free to call or email if I can be of any future assistance.

Pat Regan





looking SW toward Elkhorn slough.

Proposed lot #1, 2.9 acre lot. Building site at top, westerly portion of property

Proposed lot #2, 3.6 acre lot. Building site in central portion of property on gentle slope facing south. looking uphill to North.

Parcel C 13.49 acre (existing) lot. Building site at upper easterly portion of property looking East SE.

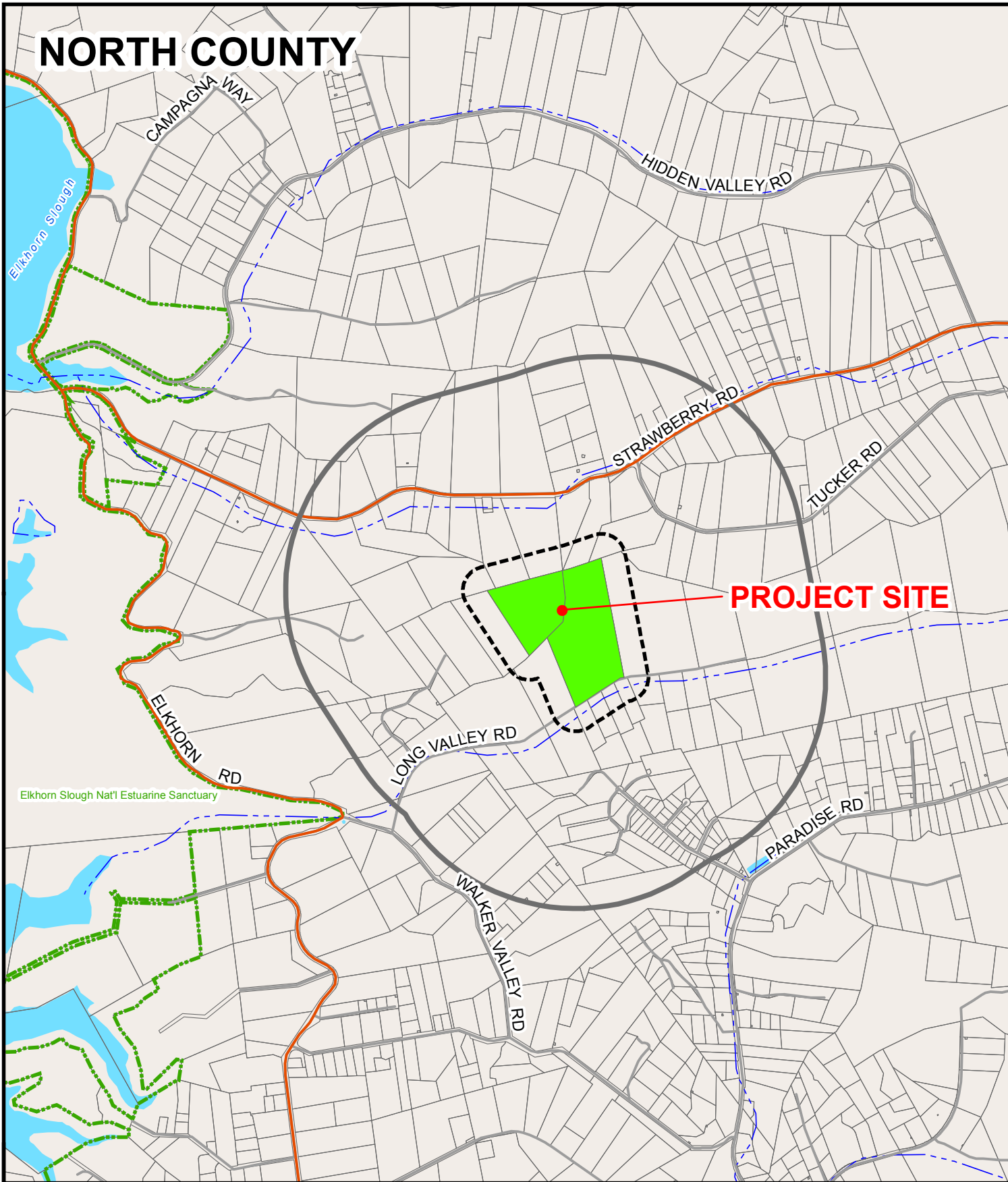


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Exhibit E

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NORTH COUNTY

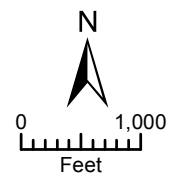


APPLICANT: VAN GREUNEN JOHANNES & KRISTI TRS

APN: 129-201-052, 006

FILE # PLN150489

 Project Site  300' Limit  2500' Limit  Water



PLANNER: MASON

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